

Parenting Plans

[Español](#)

A parenting plan, also called a “custody and visitation agreement,” is the parents’ written agreement about:

- **Time-share:** A schedule for when the children will be with each parent; and
- **Decision-making:** How the parents will make decisions about the health, education, and welfare of the children.

With a written plan, you and your children will know what to expect and will have fewer conflicts about shared parenting time.

Your parenting plan becomes a court order after it is signed by both of you, signed by the judge, and filed with the court. Make a parenting plan that is in the best interest of your children. When both parents are active in their children’s lives and do not fight over custody and visitation schedules, the children will usually do much better. Change is hard for children.

When thinking about a parenting plan, here are some things for you to consider:

- Meet your children’s basic needs for:
 - Love, protection, and guidance,
 - A healthy diet,
 - Good medical care, and
 - Enough rest.
- Consider your children’s ages, personalities, experiences, and abilities. Every child is different. Adjust your plan to your children, NOT your children to your plan.
- Give your children regular, consistent times with each of you for day-to-day care, overnights, activities, schoolwork, vacations, and holidays. Use a calendar to help you.
- Give your plan enough detail so it is easy to understand and enforce.
- Give your children a sense of security and a reliable routine.

Also, be flexible. For example, if a child is not feeling well when it is time to go to the other parent’s house, think about what would be best for your child. Clearly, the age of the child and the seriousness of the illness need to be taken into account.

Also, the distance between the 2 homes will be a major factor in decision-making. Some parents use the standard that if the child is well enough to go to school, he or she is well enough to move from 1 home to another. However, deciding whether a child should go to school or not is often difficult, so that standard is not too helpful.

Except in cases of abuse or violence, your parenting plan should have make sure that:

- Both parents can have information about the children.
- Both parents can call the children.
- Both parents can look at the children's medical and school records.
- Each parent can have the other parent's address and phone numbers and other contact information (like e-mail).

Keep in mind that the particular needs of your children will vary depending on many factors. We do not know how long young children can go without seeing either parent, how many transitions children can handle, or how long children should stay in each household. We do know that children can get attached to caregivers when they have good relationships that are consistent over time. In many instances, it may make sense for infants and toddlers to be able to see each parent regularly, especially if a child is safe with either parent. Younger children's concept of time is different from that of older children, and they often need more consistency. It is generally a good idea to have a regular schedule and stick to it. Most children benefit from having a routine they can count on. When you make a schedule, think about the quality of the relationships. Not just the relationship between the children and each parent, but also between the parents and between the children and any other caregivers. Click to learn more about the [needs of children of different ages](#).

If you or the other parent wants to move away with the children, click to [read more about the special situations moving away can create](#).

What Should Be in Your Parenting Plan

Parenting plans can be general or specific and can have restrictions. It depends on the court order and what the parents agree to. A good way to learn about what should be in your parenting plan is to look at the court forms for custody and visitation, like the *Child Custody and Visitation Order Attachment* ([Form FL-341](#)) and the *Child Custody and Visitation Application Attachment* ([Form FL-311](#)).

These forms can also help you when you think about your parenting plan:

- *Supervised Visitation Order* ([Form FL-341\(A\)](#))
- *Child Abduction Prevention Order Attachment* ([Form FL-341\(B\)](#))
- *Children's Holiday Schedule Attachment* ([Form FL-341\(C\)](#))
- *Additional Provisions — Physical Custody Attachment* ([Form FL-341\(D\)](#))
- *Joint Legal Custody Attachment* ([Form FL-341\(E\)](#))

These forms talk about plans that include weekdays, weekends, holidays, vacations, cost of transportation for visitation, and restrictions on traveling or moving with the children.

Find [more general information on creating a parenting plan](#). Find more on [creating a parenting plan for holidays and vacations](#).

In general, make sure your parenting plan deals with:

- “Physical custody,” which means where the children live and how they spend their time. Think about activities, overnights, and day-to-day care, and ask yourselves:
 - Where should our children be during the week? On weekends?
 - Where should our children be for holidays, summer vacations, and special days?
 - Which parent will be in charge of which activities (sports, music, homework)?
 - Which parent is in charge at which times?
 - How will our children get from one parent to the other? Who will pay the costs of transportation?
- “Legal custody,” which means who makes important decisions about the children. Be clear and specific about which decisions each parent can make on his or her own and which decisions you will make together about:
 - Schools
 - Daycare
 - Religion
 - Medical and dental care
 - Emergency care
 - Jobs and driving (for older children)

If you have questions, ask your mediator or lawyer about any questions you have. Find the [family court services mediators in your county](#). Your family court will try to make the mediation process as easy as possible.

You can also ask the [family law facilitator](#) in your county for information on family court procedures and forms or referrals to local resources.

Good luck with your parenting plan!

Writing Up Your Parenting Plan (Custody and time-share agreement)

The procedure for writing up your parenting plan and getting a judge's signature so that it becomes a court order may be a little different from court to court.

In general, these are the steps you will have to follow:

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1. Fill out your court forms

2. Sign the stipulation

3. Have your forms reviewed
4. Make at least 2 copies of all your forms
5. Get the judge's signature on your stipulation
6. File your forms with the court clerk

Making your parenting agreement work

- **Use a calendar**

Have a calendar that shows where the children will be and when. Put your calendar in a place that is easy to see. If you need to make a change, talk to the other parent about it to reach an agreement and make sure you explain the change to your children. Children and parents do better when things are clear.

- **Watch your children**

You know your children, so:

- Watch to see how they do with the schedule.
- If they are not doing well, talk to the other parent and try to find a way to fix things.
- Make sure they know that the separation or divorce is not their fault.
- Tell them you love them and will take care of them.
- Let them tell you how they feel about all the changes and what they need from you.
- And try to listen without getting defensive.

- **When you and the other parent do not agree**

Parents do not always agree on what is best for their children. This is natural. It happens in every relationship, even when parents do not separate or divorce.

- Listen to the other parent and respect his or her point of view.
- Control your emotions, just like you do at work.
- Read the section below on "[Communicating with each other.](#)"
- Do what is best for your children.
- Do NOT put your children in the middle of your arguments with the other parent.
- Do NOT use physical violence or be mentally or emotionally abusive.

- **Changing your plan**

You may need to change your parenting plan when your children get older and things in their lives change. Talk it over with the other parent or see a counselor to help you. If that does not work, you may want to go back to family court mediation.

If you have questions, ask your mediator or lawyer about any questions you have. Find the [family court services mediators in your county](#). Your family court will try to make the mediation process as easy as possible.

You can also ask the [family law facilitator](#) in your county for information on family court procedures and forms or referrals to local resources.

Here are some things to consider to make you parenting plan work:

- Both parents have not just the right, but an obligation to care for a child while the child is ill. It is unreasonable to expect the primary custodial parent to take over all care of a sick child, just as it is unreasonable to deny parenting time due to minor illnesses.
- The child’s feelings count. It is typical for a sick child to be cranky and unhappy; moving him or her to the other home may only intensify these feelings. On the other hand, children are prone to “cabin fever” just like adults. A change of environment may very well make a child feel better and help take his or her mind off the illness.
- When parents share care of an ill child, clear communication is crucial. If the child is on any kind of medication, knowing when the child took his or her last dose or when the next dose should be given is important information that parents should convey when exchanging the child. Both parents may want to keep a simple log of what medications the child is taking and what the medication schedule is.

If parenting time is missed due to sickness, the noncustodial parent probably may want to make the time up. Reasonable “illness contingencies” may be written into every parenting plan to provide guidance for these situations. When adding these contingencies to your parenting plan, you need to take into account that each parent’s situation (travel, work schedule, etc) is different.

Communicate with each other

How you talk to each other and to your children can make a big difference. Try to think about the other parent as a business partner. Acting “businesslike” may help get your mind off the pain and stress so you can focus better on your children. Here are some tips:

1. Be polite, just like you would be at work.
2. Stay on the subject. Focus on doing what is best for your children.
3. Control your emotions, just like you would do at work.
4. Be clear and specific when you talk to the other parent. Write things down and keep businesslike records of important agreements.
5. Keep your promises. Your children need to be able to trust and rely on you. This is very important right now.
6. Watch the words you use when you talk about divorce.

INSTEAD OF SAYING:

TRY SAYING:

wife, husband, ex-wife, ex-husband, my “ex”

children’s mother, children’s father

has visitation with

stays with, comes over